

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Philippe DIAZ et al )

Application No.: 09/379,308 )

Filed: August 23, 1999 )

For: HETEROCYCLIC BIARYL )  
COMPOUNDS, )  
PHARMACEUTICAL AND )  
COSMETIC COMPOSITIONS )  
CONTAINING THEM AND USES )  
THEREOF )

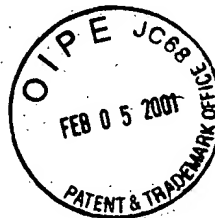
Group Art Unit: 1654

Examiner: David Lukton

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TECH CENTER 1600/2500



TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION (CPA)

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application (CPA) Under 37

C.F.R. § 1.53(d) dated October 3, 2000, enclosed please find:

☒ Surcharge of ☐ \$65.00 (205) ☒ \$130.00 (105) as set forth in 37 C.F.R.  
§ 1.16(e);

☐ Note that the inventor(s) identified on the currently filed Combined  
Declaration and Power of Attorney are different than listed on the application  
filing papers.

☐ a Request for Refund;

☒ a Petition for Extension of Time and \$390.00 fee;

☐ a verified English translation of the Application, and the \$130.00 (139) fee as set  
forth in 37 C.F.R. § 1.17(k);

☐ an Assignment document and a separate check for the Assignment recordation fee;

☒ other \$710.00 basic filing fee and \$160.00 additional claim fees;

Preliminary Amendment and Remarks and Transmittal Letter therefor; and

Form PTO-1449 and copies of the cited documents;

Transmittal Letter for Missing Parts of Application

Attorney's Docket No. 016800-318

Application No. 09/379.308

Page 2

☒ a check in the amount of \$ 1,390.00 for the fee due for missing parts; and

☐ charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

☐ Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

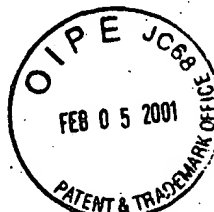
By: Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26,254

Date: February 5, 2001



Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE



DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)**  
**Filing Date Granted**

The Continued Prosecution Application (CPA) request filed on 9-18-00 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

(a) Applicant must submit \$1690.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$\_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

- ☐ 2. Additional claim fees of  
\$\_\_\_\_\_ (non-small entity) or \$\_\_\_\_\_ (small entity) for \_\_\_\_\_ independent claims over 3.  
\$\_\_\_\_\_ (non-small entity) or \$\_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$\_\_\_\_\_ (non-small entity) or \$\_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
☐ 5. Other: \_\_\_\_\_

**A copy of this Notice MUST be returned with the reply.**

Direct the reply and any questions about this Notice to:

Ken Downing

Examining Group 1600

(703) 306-4086

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Philippe DIAZ et al )

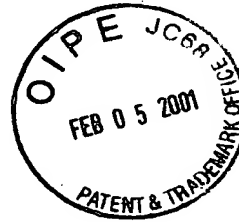
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Group Art Unit: 1654

Examiner: David Lukton



FEB 13 2001

TECH CENTER 1600/2900

#14k  
KD  
3-3-01

PRELIMINARY AMENDMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a Preliminary Amendment for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.

☒ Also enclosed is Form PTO-1449 and copies of the cited documents.

☐ Small entity status is hereby claimed.

☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$355.00 (279) ☐ \$710.00 (179) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	14	MINUS =20	0	× \$18.00 (103) =	0.00
Independent Claims	5	MINUS =5	0	× \$80.00 (102) =	0.00
If Amendment adds multiple dependent claims, add \$270.00 (104)					0.00
Total Amendment Fee					0.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					0.00
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					\$0.00

☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Katherine Baumeister  
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